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ARIZONA CORPORATION COMMISSION

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CARL J. KUNASEK
CHAIRMANJIM IRVIN
COMMISSIONERWILLIAM A. MUNDELL
COMMISSIONER

JAN 05 2000

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AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF U S
WEST COMMUNICATIONS, INC. A COLORADO
CORPORATION, FOR A HEARING TO
DETERMINE THE EARNINGS OF THE
COMPANY, THE FAIR VALUE OF THE
COMPANY FOR RATEMAKING PURPOSES, TO
FIX A JUST AND REASONABLE RATE OF
RETURN THEREON AND TO APPROVE RATE
SCHEDULES DESIGNED TO DEVELOP SUCH
RETURN.

DOCKET NO. T-01051B-99-0105

**NOTIFICATION OF
INTERVENTION****BY THE COMMISSION:**

On February 26, 1999, U S WEST Communications, Inc. ("U S WEST") filed a rate application.

On December 17, 1999, Excell Agent Services, L.L.C. ("Excell") filed an Application for Leave to Intervene ("Motion"). On December 22, 1999, U S WEST filed objections to the Motion. On December 30, 1999, Excell filed a Reply in Support of its Motion.

Excell indicated it is a wholesale provider of directory assistance services and competes with U S WEST in the provision of directory assistance to Arizona consumers. According to Excell, the Commission on December 7, 1999, directed U S WEST to submit proposals for directory assistance pricing and service in the U S WEST rate case.

Excell acknowledged that its Motion was not timely filed. However, Excell asserted that its need to participate only became apparent when the Commission directed that certain directory assistance issues be resolved in this proceeding. Excell indicated that it will be directly and substantially affected by this matter. Additionally, Excell opined that no party would be prejudiced by its intervention, especially since the procedural schedule was recently revised.

U S WEST objected to the Motion as not being timely filed. According to U S WEST, the March 4, 1999 Procedural Order set a deadline of July 2, 1999 for Motions to Intervene. Subsequently, in the October 29, 1999 Notification of Intervention, the Commission found that a new

1 deadline for intervention of October 8, 1999 was fair and reasonable since the original hearing date
2 had been continued for sixty-six days. Since the Excell Motion was not filed until December 17,
3 1999, it should be denied.

4 In Reply, Excell reiterated that the Commission's December 7, 1999 actions regarding
5 directory assistance pricing and service triggered the need for Excell to intervene. Further, Excell
6 asserted that its participation would be narrowly tailored to explore and evaluate only those facts that
7 bear on directory assistance services.

8 At the time the intervention deadline was set for July 2, 1999, the hearing was set for
9 November 4, 1999. Subsequently, the hearing date was continued for sixty-six days and the
10 intervention deadline was similarly continued. Currently the hearing date is being indefinitely
11 continued pending resolution of the depreciation matter. Accordingly, we find an additional
12 continuance is appropriate for the intervention deadline.

13 Based on the above, we shall grant the Motion. Further, participation by Excell shall be
14 limited to the nature and scope of the proceeding.

15 IT IS THEREFORE ORDERED that the Application to Intervene of Excell Agent Services,
16 L.L.C. is hereby granted consistent with the discussion herein.

17 DATED this _____ day of January, 2000.

18
19 
20 JERRY L. RUDIBAUGH
21 CHIEF HEARING OFFICER

22 Copies of the foregoing mailed/delivered
23 this _____ day of January, 2000 to:

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